IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 1ST MARCH, 2007/10TH PHALGUNA, 1928

WA.No. 547 of 2007

(AGAINST THE INTERIM ORDER IN WPC.3691/2007 Dated 13/02/2007)
.....

APPELLANT/PETITIONER:

MOHAMMED KHANI
41/1320, ARANGHATH ROAD,
KOCHI-18.

BY ADV. SRI.P.NARAYANAN

RESPONDENTS/RESPONDENTS:
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1. THE STATE OF KERALA
REP. BY SECRETARY (TAXES),
SECRETARIAT, TRIVANDRUM.

2. THE TAHASILDAR (ASSESSING AUTHORITY
UNDER THE BUILDING TAX ACT),
KANAYANNUR TALUK, ERNAKULAM.

BY SPL.GOVERNMENT PLEADER FOR TAXES SRI.MATHEW.G.VADAKKEL.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 01/03/2007,

THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN,Ag.C.J & M.N.KRISHNAN,J.

W.A.NO. 547 OF 2007

Dated this the 1st day of March, 2007

J U D G M E N T

Radhakrishnan, Ag.C.J.

This appeal arises from the interim order dated 13.2.2007 in W.P.(C) No.3691 of 2007. The learned Single Judge has directed the petitioner to pay the amount demanded in Ext.P8, under protest. Appellant/petitioner prays for a stay of the recovery proceedings.

2. We find no reason to entertain this appeal. All the same, the appellant is directed to pay the first and second instalments on 15th March, 2007. Rest of the instalments is to be paid as per Ext.P6 order passed by the Tahsildar. If any default is committed, it is open to the respondents to take further steps. We make it clear that we are not expressing any opinion on the merits of the case.

The appeal is disposed of as above.

Sd/-
K.S.RADHAKRISHNAN,
Acting Chief Justice

sd/-
M.N.KRISHNAN,
Judge

Mbs/

K.THANKAPPAN, J

Crl.Appeal NO. OF 2001

J U D G M E N T

DATED:13-02-2007